

1645

1653

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles R. Wescott, James P. Beltzer and Aaron K. Sato
Application No.: 10/034,974 Group Art Unit: 1645
Filed: December 21, 2001 Examiner: Unknown
Confirmation No.: 2108
Title: FIBRIN BINDING MOIETIES USEFUL AS IMAGING AGENTS

RECEIVED
SEP 29 2003
TECH CENTER 1600/2900

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
9-22-03	Karen Sabia
Date	Signature
KAREN SABIA	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Lisa M. Treannie

Lisa M. Treannie

Registration No.: 41,368

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated:

9/22/03

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION September 11, 2003 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3421.1008-001		APPLICATION NO. 10/034,974	
	APPLICANTS Charles R. Wescott, James P. Beltzer and Aaron K. Sato			
	FILING DATE December 21, 2001		CONFIRMATION NO. 2108	GROUP 1645

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME
	AB2	5,632,968 SEP 25 2003	27 May 97	Goldenberg
	AC2	5,364,612	15 Nov. 94	Goldenberg

FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
	AM4	EP 0347 078 A1	20 Dec. 89	EPO	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
AW3	Peter <i>et al.</i> , "Construction and Functional Evaluation of single-Chain Antibody Fusion Protein with Fibrin Targeting and Thrombin Inhibition After Activation by Factor Xa," <i>Circulation</i> , 101:1158-1164 (2000).

RECEIVED
SEP 29 2003
TECH CENTER 1600/2900

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 01/49534

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N15/10 C07K7/06 C07K7/08 A61K38/08 A61K38/10
G01N33/50

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N C07K A61K G01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	PETER AT AL: "Construction and functional evaluation of single-chain antibody fusion protein with fibrin targeting and thrombin inhibition after activation by factor Xa" CIRCULATION, vol. 101, 14 March 2000 (2000-03-14), pages 1158-1164, XP002204646 page 1158, column 1 -column 2 page 1163, column 1 -column 2 ---	1-4, 12-35
Y	US 5 632 968 A (GOLDENBERG DAVID M) 27 May 1997 (1997-05-27) abstract ---	1-4, 12-35
Y	EP 0 347 078 A (CELLTECH LTD) 20 December 1989 (1989-12-20) abstract ---	1-4, 12-35
	-/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

4 July 2002

Date of mailing of the international search report

18. 11. 02

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,

Authorized officer

Celler J

IN TIONAL SEARCH REPORT

ational Application No

PCT/US 01/49534

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 01 09188 A (WESCOTT CHARLES R ;DYAX CORP (US); BELTZER JAMES P (US); EPIX MEDI) 8 February 2001 (2001-02-08) the whole document -----	1-4, 12-35

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/49534

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5632968	A	27-05-1997	US 5364612 A	15-11-1994
			AT 146082 T	15-12-1996
			AU 657553 B	16-03-1995
			AU 2024292 A	21-12-1992
			CA 2107567 A,C	07-11-1992
			DE 69215870 D	23-01-1997
			DE 69215870 T	22-05-1997
			EP 0583390 A	23-02-1994
			IL 101737 A	14-05-1996
			JP 2823357 B	11-11-1998
			JP 6507410 T	25-08-1994
			KR 211394 B	02-08-1999
			SG 46446 A	20-02-1998
			WO 9219273 A	12-11-1992
EP 0347078	A	20-12-1989	AU 3695589 A	05-01-1990
			DK 26590 A	01-02-1990
			WO 8912098 A	14-12-1989
			GB 2228007 A	15-08-1990
			JP 2504472 T	20-12-1990
			NO 900470 A	03-04-1990
WO 0109188	A	08-02-2001	AU 6612200 A	19-02-2001
			EP 1203026 A	08-05-2002